IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T & I J

...

NOTICE OF MOTION NO.116 OF 2006

IN

SUIT NO.3 OF 2006

IN

PETITION NO.779 OF 2005

...

Shri Dilipbhai Pranlal Shah ...Petitioner

v/s.

Mrs.Bharti M. Mehta ...Caveatrix

...

Ms.J.M. Sidhwa i.b M/s.K.V.Chheda & Co. for the Petitioner.

None for the Caveatrix.

...

CORAM: D.K.DESHMUKH, J.

DATED: 7TH DECEMBER,2006

P.C.:

This Notice of Motion is taken out by the Petitioner. The learned Counsel for the Petitioner states that the caveatrix has been served with the notice. She undertakes to file affidavit of service within a period of one week from today.

2. None appears for the caveatrix. No reply is filed. In the absence of any reply accepting the averments made in the affidavit filed in support of the Notice of Motion at their face value, motion is granted in terms of prayer clause (a). Motion disposed of.

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T & I J

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CHAMBER SUMMONS NO.23 OF 2006

IN

SUIT NO.3 OF 2006

IN

PETITION NO.779 OF 2005

...

Shri Dilipbhai Pranlal Shah ...Petitioner

v/s.

Mrs.Bharti M. Mehta ...Caveatrix

...

Ms.J.M. Sidhwa i.b M/s.K.V.Chheda & Co. for the Petitioner.

None for the Caveatrix.

...

CORAM: D.K.DESHMUKH, J.

DATED: 7TH DECEMBER,2006

P.C.:

On a motion made by the learned Counsel appearing for the Petitioner, Chamber Summons is permitted to be withdrawn with liberty to adopt appropriate proceedings.

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